

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

v.

CARLOS AMADO LEYVA

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§

C.R. NO. C-07-715M

ORDER OF DETENTION PENDING TRIAL

On December 7, 2007, a detention hearing was held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of defendant pending trial in this case:

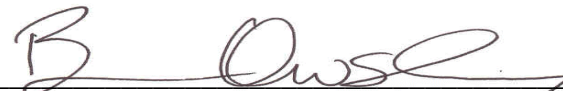
(1) Defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.

The evidence against defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report are adopted although the ultimate recommendation is not. Defendant indicated that his mother had been kidnapped for ransom by a Mexican street gang. His wife, however, denied any knowledge of the kidnapping. Moreover, he has not notified any authorities about the kidnapping. Defendant's account of this incident does not appear credible. Although defendant has ties in the United States, he also has significant familial ties in Mexico.

Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of

a court of the United States or on a request of an attorney for the Government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 7th day of December 2007.


BRIAN L. OWSLEY
UNITED STATES MAGISTRATE JUDGE